

COHEN & GREEN

July 9, 2019

Honorable Judge LaShann DeArcy Hall
United States District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

By Electronic Filing

Re: Case No. 1:19-cv-02170-LDH-LB, *Rudler v. MLA Law Offices, LTD et al.*

Dear Judge DeArcy Hall:

My firm represents the Plaintiff in the above captioned matter. We submit this letter motion to request an extension of time to serve the Defendant attorney and law firm pursuant to Federal Rule of Civil Procedure 4(m). Pursuant to that Rule, I submit the following as a statement of “good cause.”

The Complaint was filed on April 12, 2019. On that date, I made a request that the Defendants waive service pursuant to Rule 4. Several times after that, I followed up by phone and electronic mail (to the email address Defendants use when they file papers in Federal cases).

I have also now employed two process servers to attempt to serve Defendants. The first server has made at least seven attempts to personal serve Defendants. On May 30, 2019, that process server received a call back from Defendants offering to accept service, and asked for a return phone call to arrange Service on May 31, 2019. The process server attempted to call Defendants that day, but he did not answer the phone or return calls.¹ I have now employed a more expensive process server, who has found that Defendant will be making an appearance in another case in this District on July 17, 2019, and they intend to attempt to serve him in a number of ways, including on that date.

I therefore ask that the Court grant a 20-day extension until July 31, 2019, so that our new process server can personally serve Defendants.

Respectfully submitted,

/s/

J. Remy Green
Cohen&Green P.L.L.C.
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cc:

All relevant parties by ECF.

¹ I am currently sorting out technical issues in preparing affidavits from this server, but will be filing such affidavits as soon as they are available to me.